

turn of affairs. They sat dazed in their seats, while a court officer stepped forward, served the warrants on them and took them before the bar.

Judge Halsey at once dismissed the suit and then placed the prisoners under \$5,000 bail.

A deputy was hurried to the Bergen Point Sanitarium, at Bayonne, N. J., where Miss Biggar is stopping, to place her under arrest.

CRIMINAL PROSECUTION IS AT ONCE COMMENCED.

Following the sensational withdrawal from the case of Laura Biggar and the issuance of warrants for the alleged conspirators, the trial of the criminal charge was immediately taken up. McNulty, who was for years the late millionaire's private secretary, was called to the stand.

He was asked if he had ever talked with the Biggar woman after Jan. 2, 1898, about her relations with Mr. Bennett. Counsel for the defense objected on the ground that the woman was not yet under arrest.

"The charge has been made," the presiding judge said, "and the warrant issued. I'll admit it."

"Yes, I spoke to her several times, once in particular. It was about the 26th or 27th of March, 1901. Mr. Bennett was ill at the Victoria Hotel, Pittsburgh. Miss Biggar had been to New York. She heard of his illness and hurried to Pittsburgh. I met her in the hotel parlor. She said, 'Unless Mr. Bennett has made a will I can get nothing, because I have no relationship with him.'"

WORRIED BECAUSE OF NO WILL.

"She was very much worried. She kept saying that she had no relationship with him. I told her that I did not know of the existence of a will, but that it was Mr. Bennett's intention to fix everything all right. She repeated that she could have no claim on his estate. Then she said: 'If I am not in his will I do not know what will become of me.'"

Continuing, Mr. McNulty said that he had first met Miss Biggar at the Marlborough Hotel, New York City.

"Was Mr. Bennett there?" asked Lawyer George Frankenstein, counsel for Justice of the Peace Stanton.

"He was."

"And they were living together?"

"No," said the witness. "Mr. Bennett was staying with a friend."

At this point counsel for the prosecution objected and Lawyer Frankenstein said that he wished to show that to the eyes of the world, at least, Laura Biggar was Mr. Bennett's wife.

The Court refused to admit the testimony.

"The woman made the claim last week that there was a ceremonial marriage, therefore nothing that cannot support that claim will be admitted," said the Court.

Lawyer Alfred Waiterson was then called. He said that he had first seen Laura Biggar at the Freshhold race track, and later he had gone to the Bayonne sanitarium, where he had met Dr. Hendricks. Mr. McNulty introduced him. Dr. Hendricks said: "I didn't know you were going to bring a mob here." Then Mr. McNulty replied that he had only lawyers with him who were in the case, and Dr. Hendricks said that we could not see Miss Biggar and she would not see us.

"The Doctor was very much excited. He said 'Miss Biggar is entitled to the whole damned estate. She worked for Bennett as no other woman would work for a man. I haven't made up my mind yet what our course will be. We shall either put in a big claim for services or claim the whole estate on the ground that Miss Biggar is Mr. Bennett's common law wife.'"

SAID MISS BIGGAR MADE THREATS.

Lawyer John F. Hawkins, who drew the will, was called. He said that when Laura Biggar signed the petition in making application for the administration of the estate, she said that if she was not properly looked after she would claim the whole estate, as Mr. Bennett's common law wife. She said that when she met Mr. Bennett she had been making \$200 or \$250 a week on the stage. She told me that a Mrs. Shattuck, with whom she had lived, had asked why she had not married Mr. Bennett. She replied that upon the Hill Mr. Bennett's monument was erected and that there was no room for her there.

"She never denied the relationship that existed between her and Mr. Bennett. One day young Mr. Ferguson was in my office. Miss Biggar was there, and we were talking about the provisions of the will. He said to her: 'Miss Biggar, you will have a harder time to prove your claim than any one else. You will have more to fight for, because of the relationship that existed between you and Mr. Bennett. I don't know how it will be in a New York or New Jersey court, but by the law in Pennsylvania you would have a hard time fighting for the money.' To this Miss Biggar made no reply."

NOT MOTHER OF THE CHILD.

David S. Crater testified to the petition for the probate of the will. Lawyer Stephen Arrowsmith went on the stand and testified to the authenticity of the papers in the case.

A motion was then made to hold the accused for the Grand Jury. This was opposed by the defense.

Lawyer J. Scott Ferguson then in a dramatic way said: "We will not only show that there was a conspiracy, but we will show that Laura Biggar was not the mother of the child. We have absolute proof of that. We can already show enough to warrant Your Honor in holding these people."

Lawyer Arrowsmith then took up the plea for the prosecution. "We can show," he said, "that the woman Mrs. Anna Webber, who was supposed to have witnessed the wedding, never lived at No. 117 Monroe street, but at that number on the floor below, where ex-Justice of the Peace Stanton had his office, there did at one time live Elizabeth Webber. She was never known as Anna Webber."

BOGUS MARRIAGE CERTIFICATE.

"We can show that Stanton went to the Health Board and transcribed from the records the memorandum of the death of Anna Webber. We can show also that this certificate of 1898 is bogus."

"We have the certificate for the marriage and we will show that the reason Stanton made a blot in one corner of it, just where the year's date is printed, was to hide that it was 19 and not 18 as it would have had it been printed so as to record a marriage of 1898."

"Can there be any doubt as to the conspiracy in this case? No, never was there a clearer case for the Grand Jury."

Lawyer Samuel Patterson, appearing for the executor of the will, said: "The motive for this conspiracy is clear. These people wanted to divert the Bennett property into channels other than the testator of the will had designed. That is why this marriage certificate is produced. Stanton swore on the stand that he had performed the marriage ceremony."

"We can prove that there never was a marriage ceremony and that this plot was not thought of until the Biggar woman went to Dr. Hendricks's sanitarium. All along she had no idea of trying to prove that there was a ceremonial marriage. She told every one in the case that she would either put in a big claim for services, or claim the whole estate as M. Bennett's common-law wife."

SAID SHE HAD NO CLAIM.

"She has admitted again and again that she had no claim to the estate. She told Mr. McNulty of the relations that existed between them."

"Look at the petitions they have filed with the court. First this woman appears as Laura Biggar, then in comes Dr. Hendricks applying for Laura Biggar and then in comes Laura Biggar again as Laura Biggar Bennett, then suddenly we have the abandonment of the case."

It was decided to adjourn and later call Joseph Tucker, clerk in the Health Board, where Stanton went to copy the record of Anna Webber's death for Lawyer C. C. Black. After court had adjourned the prisoners were taken in charge of officers.

Lawyer Frankenstein refused to let ex-Justice Stanton make a statement. "This is all a bluff," he said. "What we shall do I do not know. I must see Mrs. Bennett to-night. Where she is I don't know."

The lawyer appeared worried.

BOGUS MARRIAGE PAPER OBTAINED BY STANTON.

As soon as the court reconvened Joseph Tucker was called to the stand. He said he had been secretary to the Board of Health of Hoboken since 1897 and is at present serving in that capacity.

"Now Judge Stanton last Friday night," the witness testified. "I was

ACTRESS LAURA BIGGAR AS "THE WIDOW" IN HOYT'S PLAY "A TRIP TO CHINATOWN"



standing in front of the City Hall when he came up to me and said he was in a good deal of trouble and that I could help him out.

"I want you," he said to me, "to go on the witness-stand and swear that a woman named Anna Weber, who was a witness to a marriage I performed of Henry M. Bennett and Laura Biggar, is dead."

"I said I would help him: all I could, but that if I went on the witness-stand I would have to tell the truth. Stanton seemed disappointed and walked away."

"He came to see me again in my office last Saturday morning. Lawyer Alexander Young was with him. Young told me that Stanton was in trouble, and he wanted me to do all I could for him. Then Stanton asked me if I had a marriage return blank with an 1898 date on—that is, a blank with the date line having the numbers 18 and a blank space following for the number of the year to be written in. I told him I thought I had."

TOOK AWAY THE PAPER.

"I hunted around, found one and gave it to him. He took it away with him. As he was leaving I told him to be careful, because I didn't intend to get into any trouble over this matter."

"He came back in about ten minutes with the blank I had given him and handed it to me. It had been filled out to show that Bennett and Miss Biggar had been married in 1898."

Here the witness was shown the certificate produced in court to prove the marriage of Bennett and Miss Biggar. He identified it as the one Stanton filled out in Hoboken last Saturday.

"Stanton," the witness went on, "then asked me to enter the certificate in the regular book of records, pointing out a blank space in which it could have been entered. He said that I could enter it and complete the record and then say I had found the certificate in a desk when I took charge of the office the first of this year. He said he would give me \$1, the regular fee, and also produce a paper to protect me in case anything came out of it."

At this point a paper was produced and shown the witness. He identified it as the agreement Stanton had given him in Hoboken. It read as follows:

I affirm that I gave the marriage certificate recording the marriage of Henry M. Bennett and Laura Biggar and that I first noticed it recorded in 1898. (Signed) SAMUEL STANTON.

Tucker testified that after signing and handing over the paper Stanton and Mr. Young left the office. In about ten minutes Mr. Young returned and asked for the papers, saying that Stanton was waiting in Busch's Hotel. Tucker gave the certificate and the agreement to Mr. Young.

When Tucker told how Young had recovered the incriminating documents in the case the defense appeared very much agitated. Lawyer Young is Corporation Counsel for Hoboken. He set a trap, it was apparent, for ex-Justice Stanton. He got Stanton to go to Tucker and then told Tucker that Stanton was waiting in Busch's Hotel and got him to give up the papers.

"That afternoon," continued Tucker (meaning Saturday) "Stanton came back to my office."

REALIZED HE WAS TRAPPED

"He said: 'Joe, I have been trapped. I fell into an awful trap; you should not have given those papers up to Young.'"

"I knew that it was serious then, and I went to the President of the Health Board and told everything."

On cross-examination Lawyer Frankenstein tried to shake Tucker's testimony. He wanted him to admit that when Lawyer Young asked for the bogus marriage certificate and the document which Stanton signed for Tucker's protection he had said: "Joe, give me those papers. Stanton is waiting for me at Busch's Hotel."

"No," witness said repeatedly. "he only said, 'Give me those papers.'"

At the conclusion of Tucker's testimony Judge Halsey said: "There is every evidence of fraud in this case. On the evidence I can do nothing but hold all the defendants in \$5,000 bail each."

"This is a very serious crime. It seems strange to me, if it is true that this woman was enroute at the time she tried to probate the will under the terms of which she could get only about \$100,000. She must have known and her counsel must have known what effect the birth of a child would have had. It would have invalidated the will and would have assured her of probably \$2,000,000. Why should she insist then in probating the will?"

"There is every indication that the marriage certificate is fraudulent. It seems strange that Dr. Hendricks, as Miss Biggar's counsel, should have made statements tending to establish a common-law marriage if he knew that there was a certificate of marriage in existence and that Miss Biggar was about to become a mother. He must certainly have known that the birth of the child and the production of the certificate would have broken the will."

BAIL NOT EXCESSIVE, HE SAYS.

"Tucker came here and gave his testimony voluntarily. There is no reason to believe that he is not telling the truth and his testimony appears to establish without doubt the full extent of the conspiracy."

"Had his conspiracy proved successful, many innocent persons would have been defrauded out of large sums of money, rightly due them from the Bennett estate. With this in view I do not think the \$5,000 bail in each case excessive."

As soon as the announcement was made that the accused would be held there counsel immediately telephoned to Jersey City for bail in the hope that it would arrive this afternoon.

Asked if the woman would surrender, Lawyer Frankenstein said: "I don't know just where I can find her. I expect to see her to-night. I will be in a better position to talk then."

Dr. Hendricks said: "Why, of course she will give herself up. Just as soon as she hears of this she will appear before the Judge. She has nothing to fear. We know their whole case now. They have shown their hand."

Miss Biggar had not appeared at the adjournment of court. There was a rumor in Long Branch that a woman answering her description had taken a Long Branch train at Jersey City at 11 o'clock this morning.

HOW BENNETT'S NEPHEW EXPOSED THE CONSPIRACY

Peter McNulty, of Pittsburg, Pa., the favorite nephew of old Bennett and next to Miss Biggar the largest beneficiary under his will, was the one who exposed the conspiracy. He had been Miss Biggar's staunchest friend after his uncle's death. Other heirs, jealous of her major portion, insisted on a contest. He sided with her, asserting she had given up her life to comfort and cherish the sick man, and deserved the greater part of his estate. His pleading won and the heirs abandoned the contest.

Then Miss Biggar sprung on the heirs the alleged fact of her secret marriage to Bennett and the birth of a posthumous child. She wanted to have the child buried beside Mr. Bennett at Asbury Park, but McNulty prevented it.

When she brought her suit to annul the will and establish her claim to the entire estate McNulty went after her. He brought Chief of Detectives Robert O'Meara, of Pittsburg, into the case, and under him worked an army of private detectives.

WORK OF UNMASKING BEGUN.

Every Mayor and Justice of the Peace in New Jersey was visited and asked if he had been approached with a view to assisting in establishing the fact of a fictitious wedding.

On Friday last ex-Justice of the Peace Samuel Stanton, of Hoboken, testified to the marriage in his office in Hoboken between 11 o'clock and midnight of Jan. 2, 1898, between old Bennett and Laura Biggar.

Stanton identified Bennett from a photograph and Miss Biggar, who was in court, raised her veil and was promptly identified.

Stanton produced the marriage certificate which, to the opposing counsel, bore plain evidence of having been tampered with.

Particular stress was laid upon certain scratches and indications of erasure with a sharp instrument at the point where the year "1898" appears in large numerals.

WAS THE CARD FICTITIOUS.

The contention of opposing lawyers on this point is interesting. They maintain that the card certificate was one not actually in existence in the year 1898, but that it is one of a blank form issue of the year 1900 or later. Their cross-examination was directed toward showing that the printed numerals as they stood originally were "10—," with a blank space left for the insertion of the last numerals, and that there had been a bungling erasure of the numeral "9" and a substitution with a pen of the numerals "988."

Justice Stanton, when pressed to account for the scratches, said he did not recollect how they occurred, but that, as he is a somewhat careless penman, he supposed he had splashed a blot of ink upon the certificate in filling it out and had then tried to erase the blemish.

DOCTORS TESTIFY TO THE BIRTH.

Other witnesses last Friday were Dr. Hendricks, who appeared in his medical rather than his legal capacity, and Dr. John T. Connolly, consulting physician of the Hoboken sanitarium. Both testified to the birth, on July 30, in Dr. Hendricks's Bayonne sanitarium, of Laura Biggar's baby. Dr. Connolly swore that he signed both the birth and death certificates of the child, which had died of inanition on Aug. 13, after a vigorous but vain effort to prolong life. Laura Biggar had been much prostrated by the death of the infant.

Until this piece of news emerged from the privacy of the sanitarium of Laura Biggar's physician and counsel she had made no public pretensions to wifehood. The news of the birth was not even generally known until the child's death certificate was filed, wherein the parents' names were entered as Henry M. Bennett and Laura Biggar Bennett. Laura Big-

gar at the same time wrote a note directing that the baby boy's body be interred in the same grave in the Prospect Cemetery, Asbury Park, where in lies all that was mortal of the late millionaire. She also directed that the plate on the little coffin be inscribed:

HENRY M. BENNETT.
Died Aug. 13, Aged Fifteen Days.

In writing these instructions the claimant signed her name for the first time "Mrs. Laura Biggar Bennett."

BURIAL IN FAMILY PLOT OPPOSED.

John F. Hawkins, an Asbury Park lawyer, who drew Mr. Bennett's will and had been named as executor, consulted with Mr. McNulty and other heirs, and it was decided to refuse the child burial beside Mr. Bennett, as that might be tantamount to admitting its birth and parentage.

Notice was served on Miss Biggar that the Bennett heirs were not prepared to recognize her marriage to Mr. Bennett or the fact that a child had been born.

Meanwhile, though the Bennett heirs had agreed to the probate of the will, in which Miss Biggar was a beneficiary to the extent of 60 per cent. of Bennett's \$1,250,000 fortune, she immediately filed suit for the annulment of the will and the enforcement of her claims as widow and mother.

This staggered the other heirs, and the investigation was vigorously taken up, which ended in to-day's sensational court climax.

HER CAREER ON THE STAGE.

It was more than five years ago that fate merged the life lines of Laura Biggar and Henry M. Bennett. The woman in her youth was a rare beauty, a blonde, of medium height, and charmingly moulded form. William A. Brady discovered her in the West, and under his auspices she made her stage debut some twelve years ago, playing the leading woman's role in "After Dark," while Brady himself appeared as Old Tom. Laura Biggar was married to a member of the company named Richardson, but their romance was short lived. Later she married Burt Haverly.

Her next and most sensational role was when she appeared in the disarming scene in "The Clemenceau Case," and for a brief season became the diversion of the gayer portion of New York theatre-goers. Laura Biggar was possessed of some talent and versatility, as well as beauty, and she had attained a recognized position in a certain sphere of drama when she made her final stage appearance as the widow in Hoyt's "A Trip to Chinatown."

SHE FIRST MEETS BENNETT.

At the Duquesne Theatre, in Pittsburg, the actress first met the aged Pittsburg millionaire, for whose fortune she is now battling. Mr. Bennett was fascinated by her manifold graces, and paid her such assiduous attention that he aroused the jealousy and finally the animosity of her husband. Burt Haverly sued the old man for alienation of his wife's affections. There was a settlement, which, according to rumor, involved the payment of \$10,000 to Haverly, and which freed him from Laura Biggar by divorce. It is a curious coincidence that only a few days before the actress followed Mr. Bennett's body to its tomb, in Asbury Park, Haverly consoled himself for his former domestic woes by wedding Mme. Dowling, a theatrical costumer of this city.

After her divorce from Haverly, Laura Biggar retired from the stage and has never returned to her old Thespian life. As the companion, and latterly the nurse of the aged millionaire, she attended his every want, living with him during the winter in one of his city homes, either in New York or Pittsburg, and in the summer on his charming estate known as the Windsor Stock Farm, at Farmingdale, N. J.—a tract of 500 acres, whereon Mr. Bennett delighted to gratify his hobby for breeding and developing blooded trotters.

TRUE TO HER TO THE END.

Within easy sight from his room he had constructed a half-mile track. There he loved to see his sleek favorites speeded, even when increasing years and illness had made him a bedridden invalid. Some months before his death, in April, an abscess on one leg developed gangrene, which finally necessitated an amputation. From that time he became helpless, and he leaned more than ever upon the sustaining companionship of Laura Biggar.

To the last he loved his farm and his blooded pets. "Let others have their yachts and their automobiles," he used to say. "This is my hobby." Mr. Bennett was born in Vermont in 1831. He began business life as a boy in a country store at \$50 a year. The willing tide that swept westward to California in the early fifties carried him on its crest. There he made some money, with which he bought the old Lee & Bennett Circus, but during the first years of the civil war he abandoned the life of a showman to open a hotel at Broadway and Twelfth street, in this city, and another in Pittsburg. These ventures prospered and he afterward became interested in many theatrical enterprises and invested heavily in the stock of the Pittsburg Consolidated Gas Company, of which he was the President until 1898, when it was merged with other companies.

QUARRELS END IN A MARRIAGE.

Magistrate Willingly Lends
His Aid in Settling the Dis-
putes of a Couple Long in
Love.

Andrew Boone and Clara Washington, of No. 22 Minetta lane, were married this morning by Magistrate Plummer, in the Jefferson Market Court. The marriage was the culmination of a series of quarrels.

Boone was arrested yesterday by Policeman Gunn for threatening to shoot the woman. When arraigned he said he had bought two tickets for Norfolk, Va., but just as the boat was about to leave its pier "his Clara" insisted upon having a row. While they

(talked the boat started. Then he threat-

ened to shoot.

The Magistrate was about to ask Boone what he had to say when the latter asked:

"What do you think about our getting married? We have lived together for a long while."

Magistrate Plummer accepted this proposition and performed the ceremony.

ROBBERS TIE UP POLICEMEN.

Daring Work of a Band in
Youngstown, O.
YOUNGSTOWN, O., Sept. 28.—A band of burglars early to-day blew open the safe of the Beechwood Improvement Company, of South Sharon, Pa., and got away with \$400 in cash.

There were four men in the band. They were seen by Policeman Newton Stamp, whom they overpowered, bound and gagged. George Haynes, another policeman, was knocked down and tied to a post. Policeman Saylor kept up a running fight with the men for some distance, but they finally escaped.

"I want some more."—Oliver Twist.

H-O makes a luxury
of an ordinary
breakfast food.

You can't tell how good H-O is by eating other kinds. You must eat H-O. No other is prepared the same, tastes the same, or is the same. Eat H-O and see.